

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JOHN GARRETT SMITH,

Plaintiff,

v.

JOHN HENRY BROWNE,

Defendant.

CASE NO. C18-5166 RBL

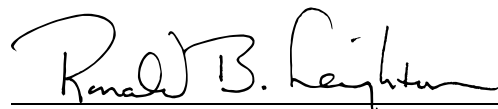
ORDER

THIS MATTER is before the Court on Magistrate Judge Fricke's Report and Recommendation [Dkt. # 8], and Plaintiff Smith's Objections [Dkt. # 10] to that R & R. The Objections are not well-taken.

The R&R is ADOPTED. Smith's application to proceed *in forma pauperis* [Dkt. # 4] and motion to amend [Dkt. # 5] are DENIED, and Smith's proposed complaint [Dkt. # 1-1] is DISMISSED without leave to amend. The Court find this action to be frivolous and/or malicious and will treat the dismissal as a strike under 28 U.S.C. § 1915.

IT IS SO ORDERED.

Dated this 30th day of July, 2018.



Ronald B. Leighton
United States District Judge